

PUBLIC NOTICE NO MT-07-12

August 15, 2007

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); ARM 17.30.1001 *et seq.*, Montana Ground Water Pollution Control System (MGWPCS); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared draft permits for the facilities listed below. Copies of the draft permits, statements of basis, and environmental assessments are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

APPLICANT NAME:	The Koehler Organization 2011 8 th Ave. NE Aberdeen, SD 57401
FACILITY NAME:	Holiday Inn Express
FACILITY LOCATION:	SE1/4 Section 19, Township 1N, Range 27E, Yellowstone County
RECEIVING WATER:	Outfall 001: Ground Water
PERMIT NUMBER:	MTX 000130

The permit authorizes the discharge of treated domestic wastewater from a Hotel consisting of 66 rooms. The raw wastewater will receive primary treatment in a 12,000 gallon septic tank, followed by additional treatment in a recirculating sand filter. The treated wastewater will be discharged via a pressure-dosed drainfield with six zones. The discharge from the drainfield will contain elevated levels of total dissolved solids, nitrogen, phosphorus and pathogens. The applicant is required to monitor the effluent monthly for BOD, TSS, nitrogen, phosphorus. A 500-foot standard ground water mixing zone for nitrate has been granted for the drainfield. Effluent limits in the permit ensure compliance with Montana ground water standards. The department has determined that the discharge of treated effluent

in compliance with the limits in the permit will not cause degradation of state water.

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APPLICANT: Tenneson Family LLC
3630 York Road
Helena, MT 59602

FACILITY NAME: Hayfield Estates Subdivision

FACILITY LOCATION: Township 10 North, Range 2 West, Section 7,
Southwest ¼ of the Southwest ¼ of the Northeast ¼ or
46.63953 latitude and 111.91175 longitude.

RECEIVING WATER: Outfall 001a, 001b and 001c: Class I Ground Water

PERMIT NUMBER: MTX000190

The proposed Hayfield Estates Subdivision (HES) will consist of 24 single-family homes. The HES wastewater treatment system will include gravity effluent mains that will transport wastewater from each residence to a centralized recirculating sand filter, and drainfield. The wastewater treatment system will have the capacity to discharge a daily maximum of 7,200 gpd (design capacity) to the groundwater. The proposed permit authorizes discharge of residential strength wastewater to three (3) subsurface drainfields. The Department has determined that the discharge constitutes a “new or increased source” and is subject to Montana Nondegradation Policy (75-5-303, MCA ARM 17.30.702(16)).

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APPLICANT: Valley Grove Sewer District

FACILITY NAME: Valley Grove Subdivision Wastewater Treatment plant

FACILITY LOCATION: Township 1 North, Range 5 West, Section 33,
Southwest 1/4 or 45° 44’06” N latitude and
111° 08’17” W longitude.

RECEIVING WATER: Outfall 001: Class I Ground Water

PERMIT NUMBER: MTX000112

This is a renewal permit for the Valley Grove Subdivision (VGS). VGS is currently discharging an average volume of approximately 23,000 gallons per day of wastewater from a 123 lot subdivision.

The permittee discharges all wastewater from the facility to Outfall 001 and was previously granted a standard 500-foot ground water mixing zone for the drainfield in a N28°E direction. The Department has established numeric effluent limits for the parameters of nitrogen and phosphorous.

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APPLICANT: City of Livingston

FACILITY NAME: City of Livingston Municipal Swimming Pool

FACILITY LOCATION: Southeast ¼ of Section 13, Township 2 South,
Range 9 East, Park County

RECEIVING WATER: Outfall 001: Fleshman Creek

PERMIT NUMBER: MT0028118

The City of Livingston's municipal swimming pool water is treated and discharged to Fleshman Creek in the fall each year.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads (TMDLs) under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA, et al., CV 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because it is not a new permit and the renewed permit will reduce the pollutant load to Fleshman Creek

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APPLICANT: Vaughn-Cascade County Sewer District
P.O. Box 429
Vaughn, MT 59487

FACILITY NAME: Vaughn domestic wastewater treatment facility

FACILITY LOCATION: 1110 6th Avenue, T 21N, R 1E, Section 25,
Vaughn, Cascade County

RECEIVING WATER: Outfall 002: Sun River

PERMIT NUMBER: MT0021440

The applicant operates a three-cell aerated lagoon wastewater treatment facility to treat

domestic sewage. Discharge is continuous to the Sun River. Treated wastewater is not disinfected prior to discharge.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because the permit: 1) does not allow an increased in the discharge of pollutants for which the receiving water is listed as impaired by; and 2) incorporates EPA approved TMDL.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS September 13, 2007. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS September 13, 2007 will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne McKittrick at WPBPublicNotices@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373 and 17.30.1024).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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